(3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (CHHATTISGARH)

W.P. NO.1962.....2003

floor

Single Bench

PETITIONER

SANTOSH KUMAR SHARMA
ASSTT.GRADE 3, KRISHI UPAJ MANDI SAMITI (AGRICULTURAL PRODUCE MARKETTING COMMITTEE),
BILASPUR,
DIST. BILASPUR.

VERSUS

RESPONDENTS :

(1) CHHATTISGARH STATE
THROUGH PRICIPAL SECRETARY,
DEPARTMENT OF AGRICULTURE ,
GOVERNMENT OF CHHATTISGARH,
DKS ,MANTHRALAY BHAVAN,
RAIPUR.

(2)MANAGING DIRECTOR,
CHHATTISHGRAH STATE AGRICULTURAL MARKETING BOARD,
PURANI GANJ MANDI PREMISES,
RAIPUR.

(3)SECRETARY,
KRISHI UPAJ MANDI SAMITHI,
BILASPUR,
DIST. BILASPUR.

P. R. No. 1919/03
Presented by Shri K. Raman Murthy
dated 22.12.03

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-22

(83)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.1962/ सन् 2003

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	11.08.2003 Sri K. Raman Nair, counsel for the petitioner. Sri Ranbir Singh Marhas, Govt. Advocate for respondent No.2. Heard both the counsel. The petitioner by this petition filed under Section 226/227 of the Constitution of India has challenged the order dated 24.06.2003 by which respondent No.2 has transferred the petitioner on deputation from Bilaspur to Jaijepur in Janjgir-Champa District and also the order dated 26.06.2003 issued by respondent No.3 relieving of his duties at Bilaspur in violation of the provisions of Section 30 of the Krishi Upaj Mandi Adhiniyam, 1972 (hereinafter referred to as 'the Adhiniyam'). The petitioner is presently working as Assistant Grade-III in the Krishi Upaj Mandi Samithi, Bilaspur and vide the impugned order he has been transferred on deputation to the Krishi Upaj Mandi Samithi, Jaijepur, Distt.: Janjgir-Champa. The main grievance of the petitioner is that the transfer has been made in violation of Sub Section (4) of Section 30 of the Adhiniyam. The petitioner has not been consulted in the matter nor has the Krishi Upaj Mandi Samithi been consulted. The rate of the deputation allowance has not been specifically mentioned in the order. Even though, by a latter order it has been modified, even then in that order also the rate of deputation allowance has not been specifically mentioned. The period of the deputation for which the petitioner has been sent on deputation is also not been mentioned. The petitioner has not been given any chance to make his representation before the Managing Director.	

[पीछे देखिये

(84)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.1962/ सन् 2003

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित — 2 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

During the course of the arguments, both the counsel agreed that the petitioner may make a detailed representation raising his entire grievances to the Managing Director, Chhattisgarh Rajya Krishi Vipanan Board, Raipur, and Sri Ranbir Singh submits that his representation will be considered in an objective manner.

Having regard to the submissions made by both the counsel, it is directed that the petitioner shall make a representation to the Managing Director, Chhattisgarh Rajya Krishi Vipanan Board, Raipur, within a period of 15 days from today and on receiving the representation, the Managing Director shall decide the same in an objective manner and while deciding the representation, he shall be required to take care of the provisions of Sub Section (4) of Section 30 of the Adhiniyam. The Managing Director is further directed to take his decision within four weeks from the date of receipt of the representation from the petitioner. Till then, the transfer of the petitioner is stayed.

The writ petition is disposed of accordingly.

Consequently, M.(W.)P.No.1779/2003, 1892/2003, 1920/2003 and I.A.No.5887/2003, also stand disposed of.

Parties are entitled for certified copy of this order.

Sd/-
L.C.BHADOO
Judge

[पीछे देखिये